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NOV 02 2018

AT SEATTLE  
CLERK U.S. DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON

BY

DEPUTY

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON**18-CV-1607** JCCCHARMANE SMITHCASE NO. \_\_\_\_\_  
[to be filled in by Clerk's Office]

COMPLAINT FOR A CIVIL CASE

Jury Trial: ☒ Yes ☐ No

Plaintiff(s),

v.

AMAZON

Defendant(s).

**I. THE PARTIES TO THIS COMPLAINT****A. Plaintiff(s)***Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.*

Name

CHARMANE SMITH

Street Address

4952 WILLOW ROAD

City and County

MEMPHIS - SHELBY

State and Zip Code

TN 38117

Telephone Number

(901) 761-1678

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## B. Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

## Defendant No. 1

Name

AMAZON

Job or Title (if known)

CORPORATION

Street Address

1200 12TH AVE, SOUTH, STE 1200

City and County

SEATTLE - KING COUNTY

State and Zip Code

WA 98144

Telephone Number

## Defendant No. 2

Name

Job or Title (if known)

Street Address

City and County

State and Zip Code

Telephone Number

## Defendant No. 3

Name

Job or Title (if known)

Street Address

City and County

State and Zip Code

Telephone Number

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Defendant No. 4

Name \_\_\_\_\_

Job or Title (if known) \_\_\_\_\_

Street Address \_\_\_\_\_

City and County \_\_\_\_\_

State and Zip Code \_\_\_\_\_

Telephone Number \_\_\_\_\_

**II. BASIS FOR JURISDICTION**

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? (check all that apply)

☒ Federal question☒ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

CONSUMER PROTECTION ACT (PRODUCT LIABILITY TORT-  
NEGLIGENCE) & TITLE 18 U.S.C. § 2520 - WIRE,  
ORAL, & ELECTRONIC INTERCEPTION.

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## B. If the Basis for Jurisdiction Is Diversity of Citizenship

## 1. The Plaintiff(s)

## a. If the plaintiff is an individual.

The plaintiff (name) CHARMANE SMITH, is a citizen of the  
State of (name) TENNESSEE.

## b. If the plaintiff is a corporation.

The plaintiff, (name) \_\_\_\_\_, is incorporated under  
the laws of the State of (name) \_\_\_\_\_, is incorporated under  
the laws of the State of (name) \_\_\_\_\_, and has its principal  
place of business in the State of (name) \_\_\_\_\_.

*(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)*

## 2. The Defendant(s)

## a. If the defendant is an individual.

The defendant, (name) \_\_\_\_\_, is a citizen of the  
State of (name) \_\_\_\_\_. Or is a citizen of  
(foreign nation) \_\_\_\_\_.

## b. If the defendant is a corporation.

The defendant, (name) AMAZON, is incorporated under  
the laws of the State of (name) WASHINGTON, and has its principal  
place of business in the State of (name) WASHINGTON.

Or is incorporated under the laws of (foreign nation) \_\_\_\_\_,  
and has its principal place of business in (name) WASHINGTON.

*(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)*

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## 3. The Amount in Controversy.

The amount in controversy-the amount the plaintiff claims the defendant owes or the amount at stake-is more than \$75,000, not counting interest and costs of court, because (explain):

DAMAGED COMPUTERS AND OTHER APPLIANCES/DEVICES,  
LOST INCOME, LOST POTENTIAL INCOME, LOST  
POTENTIAL BUSINESS INCOME, INVASION OF PRIVACY,  
NEGLIGENT ENDANGERMENT.

## III. STATEMENT OF CLAIM

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

MY AMAZON FIRE TABLET HAS BEEN DAMAGED BY 3RD  
PARTY VENDORS AND APPLICATIONS (ALSO OTHER COMPUTERS,  
DEVICES APPLIANCES, ETC.) THAT WERE INSTALLED ON AND  
DISTRIBUTED THROUGH THE SILK BROWSER AND TABLET DESIGN  
DEFECT, SECONDARY, IV. RELIEF INDIRECT, ENTERPRISE,  
AND STRICT LIABILITIES.

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

MONEY AWARD IN THE AMOUNT OF \$10,000,000.00  
FOR ECONOMIC, CONSEQUENTIAL, LOST POTENTIAL  
INCOME, LOST EXPECTED BENEFIT, & ACTUAL DAMAGES.

## V. CERTIFICATION AND CLOSING

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper

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1 purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation;  
2 (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or  
3 reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so  
4 identified, will likely have evidentiary support after a reasonable opportunity for further  
5 investigation or discovery; and (4) the complaint otherwise complies with the requirements of  
6 Rule 11.

7 I agree to provide the Clerk's Office with any changes to my address where case-related  
8 papers may be served. I understand that my failure to keep a current address on file with the  
9 Clerk's Office may result in the dismissal of my case.

Date of signing:

OCTOBER 25, 2018

Signature of Plaintiff

Charmane Smith

Printed Name of Plaintiff

CHARMANE SMITH

Date of signing:

Signature of Plaintiff

Printed Name of Plaintiff

Date of signing:

Signature of Plaintiff

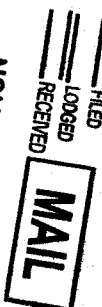
Printed Name of Plaintiff

Attor: Clerk Office  
U.S. District Court  
700 Stewart Street, Suite 2310  
Seattle, WA 98101

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WESTERN DISTRICT OF WASHINGTON

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